

114TH CONGRESS
1ST SESSION

H. R. 1472

To establish a modernized national Integrated Public Alert and Warning System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2015

Mr. BARLETTA (for himself, Mr. CARSON of Indiana, Mr. SHUSTER, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a modernized national Integrated Public Alert and Warning System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Integrated Public Alert
5 and Warning System Modernization Act of 2015”.

6 **SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYS-**
7 **TEM MODERNIZATION.**

8 (a) INTEGRATED PUBLIC ALERT AND WARNING SYS-
9 TEM MODERNIZATION.—

1 (1) IN GENERAL.—To provide timely and effec-
2 tive disaster warnings under this section, the Presi-
3 dent, acting through the Administrator of the Fed-
4 eral Emergency Management Agency, shall, except
5 as provided in paragraph (4)—

6 (A) modernize the integrated public alert
7 and warning system of the United States (in
8 this section referred to as the “public alert and
9 warning system”) to ensure that the President
10 under all conditions is able to alert and warn
11 governmental authorities and the civilian popu-
12 lation in areas endangered by disasters; and

13 (B) implement the public alert and warn-
14 ing system.

15 (2) IMPLEMENTATION REQUIREMENTS.—In car-
16 rying out paragraph (1), the Administrator shall,
17 consistent with the recommendations in the final re-
18 port of the Integrated Public Alert and Warning
19 System Advisory Committee (established under sub-
20 section (b))—

21 (A) establish or adopt, as appropriate,
22 common alerting and warning protocols, stand-
23 ards, terminology, and operating procedures for
24 the public alert and warning system;

1 (B) include in the public alert and warning
2 system the capability to adapt the distribution
3 and content of communications on the basis of
4 geographic location, risks, or personal user
5 preferences, as appropriate;

6 (C) include in the public alert and warning
7 system the capability to alert, warn, and pro-
8 vide the equivalent amount of information to in-
9 dividuals with disabilities and individuals with
10 access and functional needs;

11 (D) ensure that training, tests, and exer-
12 cises are conducted for the public alert and
13 warning system and that the system is incor-
14 porated into other training and exercise pro-
15 grams of the Department of Homeland Secu-
16 rity, as appropriate;

17 (E) establish and integrate into the Na-
18 tional Incident Management System a com-
19 prehensive and periodic training program to in-
20 struct and educate Federal, State, tribal, and
21 local government officials in the use of the
22 Common Alerting Protocol enabled Emergency
23 Alert System; and

24 (F) ensure that the public alert and warn-
25 ing system is resilient, secure, and can with-

1 stand acts of terrorism and other external at-
2 tacks.

3 (3) SYSTEM REQUIREMENTS.—Consistent with
4 paragraph (1), the public alert and warning system
5 shall—

6 (A) incorporate multiple communications
7 technologies;

8 (B) be designed to adapt to, and incor-
9 porate, future technologies for communicating
10 directly with the public;

11 (C) to the extent technically feasible, be
12 designed to provide alerts to the largest portion
13 of the affected population, including non-
14 resident visitors and tourists and individuals
15 with disabilities and access and functional
16 needs, and improve the ability of remote areas
17 to receive alerts;

18 (D) promote local and regional public and
19 private partnerships to enhance community pre-
20 paredness and response;

21 (E) provide redundant alert mechanisms if
22 practicable so as to reach the greatest number
23 of people regardless of whether they have access
24 to, or utilize, any specific medium of commu-
25 nication or any particular device; and

1 (F) include a mechanism to ensure the
2 protection of individual privacy.

3 (4) LIMITATION ON AUTHORITY.—Nothing in
4 this subsection authorizes or requires the Federal
5 Emergency Management Agency or any other gov-
6 ernment entity to require any action on the part of
7 the Federal Communications Commission, the De-
8 partment of Commerce, the Office of Emergency
9 Communications, or any nongovernmental entity,
10 nor impact any existing obligations of such entities.

11 (5) IMPLEMENTATION PLAN.—Not later than
12 180 days after the date of submission of the report
13 of the Integrated Public Alert and Warning System
14 Advisory Committee, the Administrator shall submit
15 to the Committee on Transportation and Infrastruc-
16 ture and the Committee on Homeland Security of
17 the House of Representatives and the Committee on
18 Homeland Security and Governmental Affairs of the
19 Senate a detailed plan to implement the public alert
20 and warning system. The plan shall include a
21 timeline for implementation, a spending plan, and
22 recommendations for any additional authority that
23 may be necessary to fully implement this subsection.

24 (6) FUNDING.—There is authorized to be ap-
25 propriated \$12,824,000 of the amount made avail-

1 able pursuant to section 699 of the Post Katrina
2 Emergency Management Reform Act of 2006 (Pub-
3 lic Law 109–295; 6 U.S.C. 811) for each of fiscal
4 years 2016, 2017, and 2018 to carry out the provi-
5 sions of this section.

6 (b) INTEGRATED PUBLIC ALERT AND WARNING SYS-
7 TEM ADVISORY COMMITTEE.—

8 (1) ESTABLISHMENT.—Not later than 90 days
9 after the date of enactment of this Act, the Adminis-
10 trator of the Federal Emergency Management Agen-
11 cy shall establish an advisory committee to be known
12 as the Integrated Public Alert and Warning System
13 Advisory Committee (in this subsection referred to
14 as the “Advisory Committee”).

15 (2) MEMBERSHIP.—The Advisory Committee
16 shall be composed of the following members (or their
17 designees) to be appointed by the Administrator as
18 soon as practicable after the date of enactment of
19 this Act:

20 (A) The Chairman of the Federal Commu-
21 nications Commission.

22 (B) The Administrator of the National
23 Oceanic and Atmospheric Administration of the
24 Department of Commerce.

1 (C) The Assistant Secretary for Commu-
2 nications and Information of the Department of
3 Commerce.

4 (D) The Director of the Office of Dis-
5 ability Integration and Coordination of the Fed-
6 eral Emergency Management Agency.

7 (E) Representatives of State and local gov-
8 ernments, representatives of emergency man-
9 agement agencies, and representatives of emer-
10 gency response providers, selected from among
11 individuals nominated by national organizations
12 representing governments and personnel.

13 (F) Representatives from federally recog-
14 nized Indian tribes and national Indian organi-
15 zations.

16 (G) Individuals who have the requisite
17 technical knowledge and expertise to serve on
18 the Advisory Committee, including representa-
19 tives of—

- 20 (i) communications service providers;
21 (ii) vendors, developers, and manufac-
22 turers of systems, facilities, equipment,
23 and capabilities for the provision of com-
24 munications services;
25 (iii) third-party service bureaus;

1 (iv) the broadcasting industry, includ-
2 ing commercial and noncommercial radio
3 and television stations;

4 (v) the commercial mobile radio serv-
5 ice industry;

6 (vi) the cable industry;

7 (vii) the satellite industry; and

8 (viii) national organizations rep-
9 resenting individuals with disabilities and
10 access and functional needs and national
11 organizations representing the elderly.

12 (H) Qualified representatives of such other
13 stakeholders and interested and affected parties
14 as the Administrator considers appropriate.

15 (3) CHAIRPERSON.—The Administrator shall
16 serve as the Chairperson of the Advisory Committee.

17 (4) MEETINGS.—

18 (A) INITIAL MEETING.—The initial meet-
19 ing of the Advisory Committee shall take place
20 not later than 120 days after the date of enact-
21 ment of this Act.

22 (B) OTHER MEETINGS.—After the initial
23 meeting, the Advisory Committee shall meet, at
24 least annually, at the call of the Chairperson.

1 (C) NOTICE; OPEN MEETINGS.—Meetings
2 held by the Advisory Committee shall be duly
3 noticed at least 14 days in advance and shall be
4 open to the public.

5 (D) INTERESTED PERSONS.—Interested
6 persons shall be permitted to attend, appear be-
7 fore, or file statements with the Advisory Com-
8 mittee, in accordance with subsection (c) of sec-
9 tion 552b of title 5, United States Code.

10 (E) MEETING MINUTES.—The Advisory
11 Committee shall keep detailed minutes of each
12 meeting, which shall contain a record of the
13 persons present, a complete and accurate de-
14 scription of matters discussed and conclusions
15 reached, and copies of all reports received,
16 issued, or approved by the Advisory Committee.

17 (F) AVAILABILITY OF INFORMATION.—The
18 records, reports, transcripts, minutes, appen-
19 dixes, working papers, drafts, studies, agenda,
20 or other documents which were made available
21 to or prepared for or by the Advisory Com-
22 mittee shall be available for public inspection
23 and copying, subject to section 552 of title 5,
24 United States Code, at a single location in the
25 office of the Federal Emergency Management

1 Agency until the Advisory Committee ceases to
2 exist.

3 (5) RULES.—

4 (A) QUORUM.—One-third of the members
5 of the Advisory Committee shall constitute a
6 quorum for conducting business of the Advisory
7 Committee.

8 (B) SUBCOMMITTEES.—To assist the Advi-
9 sory Committee in carrying out its functions,
10 the Chairperson may establish appropriate sub-
11 committees composed of members of the Advi-
12 sory Committee and other subject matter ex-
13 perts as the Chairperson considers necessary.

14 (C) ADDITIONAL RULES.—The Advisory
15 Committee may adopt such other rules as are
16 necessary to carry out its duties.

17 (6) CONSULTATION WITH NONMEMBERS.—The
18 Advisory Committee and the program offices for the
19 integrated public alert and warning system for the
20 United States shall regularly meet with groups that
21 are not represented on the Advisory Committee to
22 consider new and developing technologies that may
23 be beneficial to the public alert and warning system.
24 Such groups may include—

1 (A) the Defense Advanced Research
2 Projects Agency;

3 (B) entities engaged in federally funded re-
4 search; and

5 (C) academic institutions engaged in rel-
6 evant work and research.

7 (7) RECOMMENDATIONS.—The Advisory Com-
8 mittee shall develop recommendations for an inte-
9 grated public alert and warning system, including—

10 (A) recommendations for common alerting
11 and warning protocols, standards, terminology,
12 and operating procedures for the public alert
13 and warning system; and

14 (B) recommendations to provide for a pub-
15 lic alert and warning system that—

16 (i) has the capability to adapt the dis-
17 tribution and content of communications
18 on the basis of geographic location, risks,
19 or personal user preferences, as appro-
20 priate;

21 (ii) has the capability to alert and
22 warn individuals with disabilities and indi-
23 viduals with limited English proficiency;

24 (iii) incorporates multiple communica-
25 tions technologies;

1 (iv) is designed to adapt to, and incor-
2 porate, future technologies for commu-
3 nicating directly with the public;

4 (v) is designed to provide alerts to the
5 largest portion of the affected population
6 feasible, including nonresident visitors and
7 tourists, and improve the ability of remote
8 areas to receive alerts;

9 (vi) promotes local and regional public
10 and private partnerships to enhance com-
11 munity preparedness and response;

12 (vii) provides redundant alert mecha-
13 nisms if practicable in order to reach the
14 greatest number of people regardless of
15 whether they have access to, or utilize, any
16 specific medium of communication or any
17 particular device; and

18 (viii) promotes the participation of
19 representatives from traditionally under-
20 served and underrepresented communities,
21 to ensure that alerts and warnings reach
22 such populations.

23 (8) INITIAL AND ANNUAL REPORT.—Not later
24 than 1 year after the date of enactment of this Act,
25 the Advisory Committee shall submit to the Admin-

1 istrator, the Committee on Transportation and In-
2 frastructure and the Committee on Homeland Secu-
3 rity of the House of Representatives, and the Com-
4 mittee on Homeland Security and Governmental Af-
5 fairs of the Senate a report containing the rec-
6 ommendations of the Advisory Committee.

7 (9) FEDERAL ADVISORY COMMITTEE ACT.—
8 Neither the Federal Advisory Committee Act (5
9 U.S.C. App.) nor any rule, order, or regulation
10 issued under that Act shall apply to the Advisory
11 Committee.

12 (10) TERMINATION.—The Advisory Committee
13 shall terminate not later than 6 years after the date
14 of enactment of this Act.

15 (c) LIMITATION ON STATUTORY CONSTRUCTION.—
16 Nothing in this section shall be construed to provide the
17 Federal Emergency Management Agency with regulatory
18 authority with respect to any nongovernment entity.

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